## Shainis & Peltzman, Chartered

Counselors at Law

Suite 290 1901 T Street, N.W. Washington, P.C. 20036 学文的ET PILE GOPY ORIGINAL

Aaron Pl. Shainis Lee J. Peltzman (202) 293-0011 Fax (202) 293-0810 October 15, 1999 Of Counsel William H. BuRoss, Ill Ruth S. Baker-Battist Robert J. Keller

Ms. Magalie Salas
Secretary
Federal Communications Commission
Portals II - 12<sup>th</sup> Street Lobby
Filing Counter - **TW-A325**445 - 12<sup>th</sup> Street, S.W.
Washington, DC 20554

OCT 15 1999

EDERAL COMMUNICATIONS COMMUNICATION
OFFICE OF THE SECRETARY

Re: MM Docket Nos. 99-140 and 99-146

RM-9490 RM 9723 RM-9724 RM 9725

Amendment of Section 73.202(b)

Table of Allotments, FM Broadcast Stations North Tunica, Mississippi

Kennett, Missouri Munford, Tennessee

Friars Point, Mississippi and

Marianna, Arkansas

Dear Ms. Salas:

Transmitted herewith, on behalf of Legend Broadcasting, Inc., is an original and four (4) copies of its Motion for Leave to File Supplemental Comments in the above-referenced rule making proceedings. Please contact the undersigned in the event the Commission has any questions with respect to this Motion.

Sincerely,

Lee J./Pettzman Coursel for

LEGEND BROADCASTING, INC.

**Enclosures** 

No. of Copies rec'd UTV

ORIGINAL

## BEFORE THE FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

RECEIVED	,
OCT 1 5 1990	5

In the Matter of	)	FEDERAL COMMO
	j	MM Docket Nos 99-140 and 99-146
Amendment of Section 73.202(b),	)	MM Docket Nos. 99-140 and 99-146
Table of Allotments,	)	RM-9490
FM Broadcasting Stations.	)	RM-9723
(North Tunica, Mississippi,	)	RM-9724
Kennett, Missouri	)	RM-9725
Munford, Tennessee,	)	
Friars Point, Mississippi and	)	
Marianna, Arkansas)	)	

TO: Chief, Allocations Branch Policy and Rules Division Mass Media Bureau

## MOTION FOR LEAVE TO FILE SUPPLEMENTAL COMMENTS

Legend Broadcasting, Inc. ("Legend"), by its attorney, hereby moves for leave to file Supplement Comments in the above-captioned proceeding. In support of its position, Legend submits the following:

Docket No. 99-140 was initiated by Legend and proposed the reallotment of Channel 255C from Kennett, Missouri to Keiser, Arkansas and the modification of Station KTMO's license accordingly. Legend filed a counterproposal in the proceeding proposing the reallotment of Channel 255C from Kennett to Munford, Tennessee and a modification of the Station license, as well as the allotment of Channel 254A to the community of Friars Point, Mississippi. Flinn initiated Docket No. 99-146, proposing the allotment of Channel 254A to North Tunica, Mississippi. The proposals of Legend and Flinn are mutually exclusive.

On September 17, 1999, the Commission released its Public Notice accepting Legend's Counterproposal in Docket No. 99-140. Report No. 2362. On October 4, 1999, Flinn filed

Comments in Docket No. 99-140, in response to the Commission's Public Notice. Flinn proposes that Channel 255C1 be realloted to Munford to allow the allotment of Channel 254A at North Tunica. It is necessary that Legend file Supplemental Comments in order to make it clear to the Commission that it has expressed an interest in the allotment of Channel 255C to Munford and that Flinn is attempting to substitute a channel in which no interest has been expressed.

Accordingly, for the reasons stated above, Legend respectfully requests leave to file Supplemental Comments in this rule making proceeding.

Respectfully submitted,

LEGEND BROADCASTING, INC.

By:

Lee J. Peltzman

SHAINIS & PELTZMAN, CHARTERED 1901 L Street, N.W. - Suite 290 Washington, D.C. 20036 202 293 0011

October 15, 1999

## **CERTIFICATE OF SERVICE**

I, Michael S. Goldstein, secretary at the law firm of Shainis & Peltzman, Chartered, do hereby certify that on this 15<sup>th</sup> day of October, 1999, I sent via U.S. mail, postage prepaid, a copy of the foregoing to the following persons:

Stephen C. Simpson, Esq.
Suite 800
1090 Vermont Avenue, N.W.
Washington, D.C. 20005
Counsel for Fred R. Flinn

Timothy K. Brady, Esquire Law Office of Timothy K. Brady P.O. Box 71309 Newman, Georgia 30271-1309 Counsel for Olvie E. Sisk

Larry G. Fuss
President
Delta Radio, Inc.
P.O. Box 1438
Cleveland, Mississippi 38732

Bear Creek Radio P.O. Box 1196 College Station, TX 77842

Ms. Nancy Joyner\*
Allocations Branch
Policy and Rules Division
Mass Media Bureau
Federal Communications Commission
Room 3-A267, The Portals II
445 Twelfth Street, S.W.
Washington, D.C. 20554

Michael S. Goldstein

<sup>\*</sup>By Hand Delivery